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7 **UNITED STATES DISTRICT COURT**
8 **DISTRICT OF NEVADA**

9 UNITED STATES OF AMERICA,

10 Plaintiff,

11 vs.

12 KEVIN FIGGERS,

13 Defendant.

Case No.: 2:20-mj-00302-DJA

ORDER TO CONTINUE
PRELIMINARY HEARING
(Seventh Request)

14 IT IS HEREBY STIPULATED AND AGREED, by and between Christopher Chiou,
15 Acting United States Attorney, and Melanee Smith, Assistant United States Attorney, counsel
16 for the United States of America, and Rene L. Valladares, Federal Public Defender, and Nisha
17 Brooks-Whittington, Assistant Federal Public Defender, counsel for Kevin Figgers, that the
18 Preliminary Hearing currently scheduled on June 7, 2021 at 4:00 p.m., be vacated and continued
19 to a date and time convenient for the Court, but no earlier than sixty (60) days.

20 The Stipulation is entered into for the following reasons:

- 21 1. The parties are involved in discussions and may possibly negotiate this case which
22 may obviate the needs for a preliminary hearing.
- 23 2. The defendant is incarcerated and does not object to the continuance.
- 24 3. The parties agree to the continuance.

1 4. The additional time requested by this stipulation is excludable in computing the
2 time within which the indictment must be filed pursuant to the Speedy Trial Act, Title 18, United
3 States Code, Section 3161(b), considering the factors under Title 18, United States Code, Section
4 3161(h)(7)(A) and (B)(i) and (iv). The additional time requested by this stipulation also is
5 excludable in computing the 90-day speedy trial clock imposed by the Speedy Trial Act, Title 18,
6 United States Code, Section 3161(c), considering the factors under Title 18, United States Code,
7 Section 3161(h)(7)(A) and (B)(i) and (iv).

8 5. This continuance is not sought for purposes of delay, but to account for the Court's
9 limited resources and so that the parties can reach a negotiated resolution.

10 6. Denial of this request could result in a miscarriage of justice, and the ends of justice
11 served by granting this request outweigh the best interest of the public and the defendant in a
12 speedy trial.

13 This is the seventh stipulation to continue filed herein.

14 DATED: This 4th day of June, 2021.

15 RENE L. VALLADARES
16 Federal Public Defender

17 /s/ Nisha Brooks-Whittington
18 By _____
NISHA BROOKS-WHITTINGTON
Assistant Federal Public Defender

CHRISTOPHER CHIOU
Acting United States Attorney

 /s/ Melanee Smith
By _____
MELANEE SMITH
Assistant United States Attorney

1 UNITED STATES DISTRICT COURT
2 DISTRICT OF NEVADA

3 UNITED STATES OF AMERICA,

4 Plaintiff,

5 vs.

6 KEVIN FIGGERS,

7 Defendant.

Case No.: 2:20-mj-00302-DJA

ORDER

8 IT IS ORDERED that the Preliminary hearing currently scheduled for Monday, June 7,
9 2021 at 4:00 p.m., be vacated and continued to
10 August 16, 2021, at 4:00 p.m., Courtroom 3A.

11 DATED this 4th day of June 2021.



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13 HONORABLE DANIEL J. ALBREGTS
14 UNITED STATES MAGISTRATE JUDGE
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